



December 17, 2020

VIA ECFS

Ms. Marlene Dortch
Secretary

Federal Communications Commission 445 12th Street, SW
Washington, D.C. 20554

Re: Notice of Ex Parte Presentation

Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission's Rules, MD Docket No. 20-270

Dear Ms. Dortch:

On December 15, 2020, the Satellite Industry Association (SIA) met with staff of the International Bureau, Office of Managing Director, and Consumer and Government Affairs Bureau by teleconference to discuss the above-referenced dockets. Present for the meeting on behalf of the IB were: Nese Guendelsberger, Kerry Murray, and Stephanie Neville. Present on behalf of OMD were: Deena Shetler, Roland Helvajian, and Sarah Stone. Present on behalf of the Consumer and Government Affairs Bureau was Mika Savir.

Attending the meeting for SIA, in addition to myself, were Jonathan Bair, LMI Advisors; Jon Bennett, SES; Matt Botwin, SpaceX; Christopher Bowen, Spire; Noah Cherry, SES; John Clifford, Planet; Greg Coutros, EchoStar; Tony DeTora, Lynk; Gardner Foster, SpaceX; Joe Godles, on behalf of Telesat; David Goldman, SpaceX; Cindy Grady, Intelsat; Karis Hastings, SatCom Law LLC, outside counsel to SES; Nathan Johnson, Planet; Therese Jones, SIA; Suzanne Malloy, SES; KellyAnn McCarty, AWS; Michelle McClure, Spire; Carlos Nalda, LMI Advisors; Raquel Noriega, AT&T; and Mariah Shuman, Amazon.

In the meeting, SIA presented the attached talking points on earth station siting. SIA noted it filed a Petition for Reconsideration addressing these issues and several others, also attached.

Please contact me should you have any questions.

Respectfully submitted,

SATELLITE INDUSTRY ASSOCIATION

By: */s/ Tom Stroup*

Tom Stroup
President

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Attachment

Cc:

Jonathan Bair, LMI Advisors
Jon Bennett, SES
Matt Botwin, SpaceX
Christopher Bowen, Spire
Noah Cherry, SES
John Clifford, Planet
Greg Coutros, EchoStar
Tony DeTora, Lynk
Gardner Foster, SpaceX
Joe Godles, on behalf of Telesat
David Goldman, SpaceX
Cindy Grady, Intelsat
Karis Hastings, SatCom Law LLC, outside counsel to SES
Nathan Johnson, Planet
Therese Jones, SIA
Suzanne Malloy, SES
KellyAnn McCarty, AWS
Michelle McClure, Spire
Carlos Nalda, LMI Advisors
Raquel Noriega, AT&T
Mariah Shuman, Amazon

Application Fees Should be Cost-Based and Internally Consistent

- As the Commission acknowledges, the current fee schedule is out of date and no longer reflects the cost of processing applications or current technology. SIA strongly supports the FCC's proposed cost-based approach.
- In line with the FCC's goal of better aligning application fees with processing costs, the SIA comments highlight areas where changes are needed to more closely track underlying costs and provide incentives to minimize administrative burdens. The comments also note two areas where the NPRM is inconsistent—in one case with a prior FCC Order and the other with itself.
- The SIA comments identify five areas where revisions should be made to better align application fees with processing costs: (1) assignment and transfer of control applications; (2) initial earth station applications for multiple sites; (3) earth station amendments and modifications; (4) blanket licenses for mobile and other earth stations; and (5) unified space station/earth station licenses.
 - Assignment and transfer of control applications
 - The NPRM's proposal to charge application fees for assignments and transfers of control on a per call sign basis does not correspond with costs for processing these applications. The substantive review of an application for assignment or transfer of control occurs only once, regardless of the number of authorizations/call signs included in that application.
 - As such, SIA believes that the Commission should instead adopt a flat fee for assignment and transfer of control applications.
 - Initial earth station applications for multiple sites
 - The proposed fee for "multiple stations at a single geographic location [that are] operating under a single call sign," is 18 times the fee for an initial application for a single site, an initial VSAT application, or a blanket license application. The NPRM does not provide, nor can SIA discern, a rationale for the difference in cost for these types of applications given that, for example, a VSAT application could have 100 antennas associated with it.
 - Further, the proposed disparate treatment would likely have the unintended side effect of incentivizing additional, wholly unnecessary filings because in almost all cases it would be more cost effective to either apply for separate licenses for each antenna or seek a license for a single site and then modify that license to add antennas.
 - SIA asks that the Commission either combine the single and multiple site categories into one category (as is the case under the current fee schedule), or reduce the fee to bring it in line with the proposed fees proposed for other types of initial earth station applications.
 - Earth station amendments and modifications
 - The proposed earth station amendment and modification fees inexplicably exceed the fees for most earth station initial licensing categories. The cost components identified for processing earth station license applications, amendments, and modifications are the same across all these categories and the NPRM does not

- explain why earth station amendments and modification applications would require more Commission staff effort than processing a new license application.
- The proposed fees would likely create an incentive to withdraw and file a new initial application rather than amend an existing one or modify an existing license because doing so would be more cost effective.
 - To remedy this perverse situation, the fees for earth station amendments and license modifications should be reduced below the rate for initial earth station applications.
- Blanket licenses for mobile and other earth stations
 - The proposed fee for mobile blanket license applications—more than double that of other blanket-licensed earth stations—is irrational. The majority of the information for blanket licenses is identical regardless of the type of authorization; such disparate treatment thus seems unlikely to be cost-based.
 - Unified space station/earth station licenses
 - The fee adopted for the unified licensing fee structure recently adopted by the Commission should be cost-based and should reflect the fee schedule proposed in this NPRM.
- SIA also seeks correction of inconsistencies in the NPRM’s NGSO fee proposals.
 - Small NGSO Fees
 - While the Commission recently adopted a new fee category for both market access and U.S. licensed small NGSO satellites in the Small Sat proceeding, the proposed application fee schedule does not identify a small satellite fee for market access requests.
 - Accordingly, the Commission should add an NGSO small satellite fee of \$2,175 in the petition for declaratory ruling category, matching the fee to apply for U.S.-licensed NGSO small satellites.
 - (Non-small sat) NGSO Fees
 - The NPRM states that the FCC expects the costs for both applications to “construct, deploy, and operate” an NGSO system and to “operate” an NGSO system to be identical “since the information required to be reviewed is the same in both cases.”
 - However, there is an apparent error in the text of the NPRM, which indicates in one place that the fee for NGSO applications to “construct, deploy, and operate” an NGSO system is \$14,536, rather than \$15,050, the fee for applications to “operate” NGSO systems.
 - SIA believes that \$15,050 is the intended value for both types of applications. Further, \$15,050 is consistent with the fees listed in Appendix A. SIA requests that the FCC make an appropriate correction.